

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>CLAUDINE G. MANLEY,</b>	)	<b>CASE NO. 1:08CV0664</b>
	)	
<b>PLAINTIFF,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>V.</b>	)	
	)	
<b>MICHAEL J. ASTRUE</b>	)	
<b>Commissioner of Social Security,</b>	)	<b>ORDER</b>
	)	
<b>DEFENDANT.</b>	)	

This matter is before the Court on Plaintiff Claudine Manley’s (“Manley”) Motion For Award of Attorney Fees. (Dkt. # 16). On October 19, 2009, this Court referred the matter to Magistrate Judge Benita Y. Pearson for preparation of a report and recommendation (“R&R”). (Dkt. # 15).

On November 10, 2009, Magistrate Judge Pearson issued the R&R, recommending that this Court deny Manley’s Motion for Award of Attorney Fees. (Dkt. # 18). The Magistrate Judge found that the Commissioner’s position was substantially justified, and therefore, that Manley was ineligible for attorneys’ fees.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Manley has failed to timely file any such objections. Therefore, the Court must assume that Manley is satisfied with the Magistrate Judge’s recommendation.

Therefore, any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Thus, the Report and Recommendation of Magistrate Judge Pearson is hereby **ADOPTED**. (Dkt. # 18). In accordance with the R&R, Manley's Motion for Attorney Fees is **DENIED**. (Dkt. # 16). Additionally, Manley's Motion for Attorney Award of Attorney Fees is **DENIED** as moot. (Dkt. # 14).

**IT IS SO ORDERED.**

/s/ Peter C. Economus – November 25, 2009  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**